

REMARKS

Applicant wishes to thank the Examiner for the attention accorded to the instant application, and respectfully requests reconsideration of the application based on the remarks below.

Formal Matters

Claims 1-17 are currently pending in the application.

Summary of Telephone Interview

Applicant thanks the Examiner for the telephone interview of December 7, 2006, and for the summary of the interview mailed December 18, 2006. Applicant agrees with the Examiner's interview summary.

Rejection of Claims under 35 U.S.C. § 103

Claims 1-17 are rejected under 35 U.S.C. § 103 as being unpatentable over Herz et al., U.S. Patent No. 6,571,279 ("Herz") in view of Hall et al., U.S. Patent No. 6,026,375 ("Hall"), and further in view of d'Eon, U.S. Patent No. 6,006,197. This rejection should be withdrawn based on the comments and remarks herein.

Among the problems recognized and solved by Applicant's claimed invention is a need for an advertisement providing system capable of pin-point distribution of advertisement data including calculating an advertisement effect based on the purchase activity before and after the advertisement distribution. This feature enables a company using the present invention to more clearly grasp the effect of its advertising by comparing purchase activity prior to and after offering advertising.

The Examiner states that Herz does not expressly teach the means determining a contract link factor from a ratio of a purchase activity to a number of times of an advertisement

distribution, and calculating the advertisement effect based on the contract link factor and a sales increase ratio of the purchase activity before and the contract link factor after the advertisement distribution, but that d'Eon teaches such means. The Examiner concludes that it would have been obvious to a person of ordinary skill in the art at the time the application was made to combine Herz with d'Eon to correlate an average revenue value to the number of impressions associated with an advertisement in order to determine the effectiveness of each advertisement. Applicant respectfully disagrees.

D'Eon teaches a web advertising measurement system in which "an average revenue value is correlated to the number of impressions associated with the advertisement, and an advertisement cost value is correlated to the number of impressions associated with the advertisement, as indications of the effectiveness of the advertisement" (column 3, lines 12-17). Thus, d'Eon calculates revenue value, cost value, and effectiveness using the number of consumer impressions and then compares the number of impressions to the number of sales. D'Eon states that "it is important to know how many people gained an impression of the advertisement, and then to know how many subsequent sales or other transactions related" (column 1, lines 22-25). D'Eon does not disclose or suggest comparing a *sales increase ratio* as recited in independent claims 1, 9, and 17. No teaching or suggestion is made in d'Eon to obtain information regarding purchasing activity before web advertising started. Thus d'Eon cannot suggest comparing purchase activity before the web advertising began to sales after commencement of the advertising distribution. Thus there is no teaching or suggestion in d'Eon of "determining a contract link factor from a ratio of a purchase activity to a number of times of an advertisement distribution, and calculating the advertisement effect based on the contract link factor and a sales increase ratio of the purchase activity before and the contract link factor after

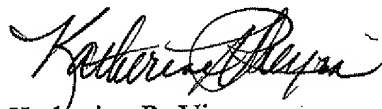
the advertisement distribution", as recited in claims 1, 9 and 17 of the present application. Thus, the hypothetical combination of Herz, Hall and d'Eon does not disclose each and every feature of the present invention as recited in independent claims 1, 9, and 17.

Claims 2-8 depend from independent claim 1, and claims 10-16 depend from independent claim 9. Therefore, claims 2-8 and 10-16 incorporate novel and nonobvious features of their respective base claims and are patentably distinguishable over the art or record in the application for at least the reasons that their respective base claims are patentably distinguishable over the art of record in the application. Thus, applicant respectfully requests that this rejection be withdrawn.

Conclusion

Should the Examiner have any questions regarding this Amendment, or regarding the Application generally, the Examiner is invited to telephone the undersigned attorney.

Respectfully submitted,



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